



Docket No. 2024728-7034432001
(03-226)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert Rioux, et al.

Serial No.: 10/766,608

Filed: January 27, 2004

**For: SYSTEMS AND METHODS FOR
TREATING BREAST TISSUE**

Group Art Unit: 3736

Confirmation No. 3377

Examiner: Anuradha, Roy

AMENDMENT AND RESPONSE TO SPECIES ELECTION REQUIREMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith, in response to the Office Action mailed November 25, 2005, is an Amendment and Response to Species Election Requirement (8 pages) for the above-identified application.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

Dated:

By:

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(37 C.F.R. §1.8)

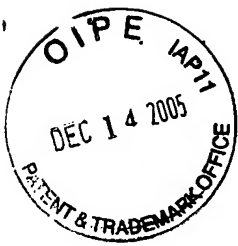
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AMENDMENT AND RESPONSE TO SPECIES ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the multi-tiered species election requirement set forth in the Office Action mailed November 25, 2005, and further discussed by the undersigned and the Examiner in a telephone conference on December 9, 2005, Applicants hereby elect the species of a "slidable electrode" as the power delivery source (claims 4 and 29), and the species wherein the imaging device is an endoscope (claims 11 and 25). In addition to elected claims 4, 11, 25 and 29, Applicants respectfully submit that at least claims and 1-2,7-9, 13-16, 19-23, 26-28 and 30 are generic to the elected species. The remaining claims are withdrawn from prosecution for the time being, but remain pending in the application, in accordance with the listing of the claims and their current status identifiers that begins on page 2. Remarks begin on page 8.